IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8294 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.BUCH

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes : YES

2. To be referred to the Reporter or not? No :

3. Whether Their Lordships wish to see the fair copy of the judgement? No : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No : NO

5. Whether it is to be circulated to the Civil Judges : No

KESHUMIYA U KURESHI

Versus

STATE OF GUJARAT

Appearance:

MR RK MISHRA for Petitioner

MR RC KODEKAR, AGP for HV CHHATRAPATI for Respondent No. 1, 2, 3, 4

CORAM : MR.JUSTICE C.K.BUCH

Date of decision: 10/03/2000

ORAL JUDGEMENT

1. Heard Learned Advocate for the petitioner. Looking to the averments made in the petition in Annexure-A attached in support thereof, nothing legally

could be done in favour of the petitioner by this Court by exercising the powers under Article 226 of the Constitution of India. Purpose will be served, in view of certain douments produced in the petition, especially letter of Chief Officer, Notified Area, Gandhinagar at Annexure-C, Page-10, a letter of Collector, Gandhinagar at Annexure-D, Page17, letter at Annexure-E and the letter at Annexure-K written by Dy. Secretary, Road and Building Department dated 9th September,1998, if it is observed that the Government, if intends to allot a small piece of land to the petitioner, even on rental basis, appropriate decision should be taken at the earliest, so that this type of litigation in such cases can be avoided.

2. Above observations are made in light of the facts reflected from the papers available to this Court. However, it is observed that the same should not be construed as recommendations in favour of the petitioner.

3. It will be open for the petitioner to make further representation by annexing the copy of the petition with annexures to the respondent no.1 herein.

4. In view of observations made as above, on the instructions of the petitioner, who is present in the Court, this petition stands disposed of as withdrawn. Rule discharged. Interim relief, if any, stands vacated. No costs.

(C.K.BUCH,J)

(vipul)